

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 78278

Thomas H. Crawford

1119 Deanwood Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on July 21, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, 312, failure to remove junk, trash and debris; section 35-5-302 (b)(1)(5), failure to replace/repair missing and rotted wood, failure to scrape and paint wood regarding residential property zoned DR 10.5 known as 1119 Deanwood Road, 21234.

On June 28, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Jeffrey Radcliffe issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,500.00 (one thousand five hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on May 25, 2010 for removal of trash and debris, cut and remove tall grass and weeds, remove table saw, glass, wood, cardboard, bucket of metal, etc.; scrape and paint peeling and flaking paint; replace all rotted/missing wood. A Correction Notice was issued on June 17, 2010 for removal of trash and debris, remove wood, wire, clamps, metal, etc., under deck and around shed. This Citation was issued on June 28, 2010.

B. Photographs in the file show a brick row house with other houses on both sides. Under the rear deck is a pile of lumber or other wood, partly covered with tarpaulins. Photographs also show junk and debris in the yard including coiled wiring, scrap metal, and rubber mats. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310. County law prohibits the accumulation of bricks or other materials that is conducive to rat harborage, and requires such materials to be evenly piled or stacked on open racks that are elevated at least 18 inches above the ground. BCC Section 13-7-312. Piled lumber is included in this requirement; the wood under the deck must be removed or must be properly stacked and elevated.

C. Photographs in the file show that the window frames on the row house need painting. Bare wood and flaking paint are visible. Notes in the file from Inspector Radcliffe state that there is also rotted wood that requires replacement. Respondent is required by law to maintain the exterior of the house at least in conformance with county code standards, including keeping all "[e]xposed surfaces of metal or wood in good repair, in a structurally sound condition, and protected against decay, rust, peeling, or flaking." BCC Section 35-5-302. The window frames and other exposed wood on the house must be repaired and painted.

D. Notes in the file state that some violations have been corrected prior to this Hearing, including removal of some debris. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violations are corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$50.00 (fifty dollars) if the violations are corrected by September 7, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 27<sup>th</sup> day of July 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer